

PATENT  
Serial No.: 09/938,387  
Docket No.: ST00015C1 (108-US-U2)

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REMARKS

STATUS SUMMARY

Claims 1-4 are pending in this application. Claims 1 and 2 are rejected. Claims 3 and 4 are objected to, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In the present Amendment, claim 1 has been amended.

Applicant has considered the above-identified Office Action and cited references, and replies as set forth below to place the application in condition for allowance.

CLAIM REJECTIONS - 35 U.S.C. § 112

Claims 1 and 2 are rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. Although Applicant traverses this rejection, Applicant has nonetheless amended claim 1 to provide additional clarification and to expedite prosecution. As indicated above, claim 1 as amended now recites a "second mixer." In view of the amendment to claim 1, Applicant respectfully submits that claim 1 complies with 35 U.S.C. § 112, second paragraph, and respectfully requests that the rejection under 35 U.S.C. § 112 be withdrawn.

Additionally, in the above-identified Office Action, the Examiner indicated that claim 2 would be allowable if rewritten to overcome the above-discussed rejection under 35 U.S.C. § 112. Therefore, Applicant respectfully submits that claim 2 is allowable in view of the amendment made to claim 1.

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CLAIM REJECTIONS - 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by Barnard (U.S. Patent No. 5,241,561). Applicant respectfully traverses this rejection, particularly in view of the amendment made to claim 1 in response to the rejection under 35 U.S.C. § 112.

Moreover, in the apparatus recited in claim 1, the carrier component is removed from the GPS signal, and the carrier-removed GPS signal is mixed with a frequency reference signal, and the resultant signal is fed to the comb filter. Barnard does not teach the foregoing. In Barnard, the carrier component is removed from the GPS signal, and the carrier-removed GPS signal is fed directly to a comb filter without any further processing beforehand. As stated in Barnard at col. 6, lines 14-21 and with reference to Figure 3 of Barnard:

The frequency of the local oscillator 32 is determined by a controller 50 in order that the difference (or sum) frequency outputs of the mixers 34 and 35 are baseband signals, that is they contain no remnant of the original carrier frequency. The outputs of the mixers 34 and 35 are fed to respective comb filters 36 and 37 whose purpose is to improve the signal to noise ratio of the baseband signals.

In view of the foregoing, Applicant respectfully submits that claim 1 is patentable over Barnard under 35 U.S.C. §102(b), and therefore respectfully requests that this rejection be withdrawn.

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**CONCLUSION**

In light of the above remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited. If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Office Action.

Respectfully submitted,

THE ECLIPSE GROUP LLP



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